FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1535 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.S.Pednekar APP for the State.

Coram : R.S.Mohite,J

Date : 23.01.2006.

PC

1. Heard APP for the State. This is an appeal filed by the State impugning a Judgment and order passed by the Jt.CJJD & JMFC Vasai on 30.9.2003 acquitting the accused for offences punishable under Sections 143 & 323 of IPC. A perusal of the impugned judgment and order indicates that the same has been passed for cogent and acceptable reasons. The Court has held that the evidence of the eye witnesses is not corroborated by the medical evidence on record. There is no injury found in the

areas on their persons in which eye witnesses claimed to have been assaulted. Besides this, investigating officer did not take into his custody the medical certificate and the same was produced only at the stage of evidence directly in the Court. The view taken is a possible view. Hence, leave is refused and consequently, appeal to stand dismissed.

(R.S.Mohite,J)